

**MINUTES**  
**March 1, 2022**  
**Committee of the Whole – Hybrid Meeting**  
**City of Batavia**

Please **NOTE:** These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. They are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

Chair Wolff called the meeting to order at 7:00pm.

**1. Roll Call**

**Members Present:** Chair Wolff; Ald. Miller, Russotto, Beck, Connelly, Chanzit (remote), Solfa, Baerren, Leman, Ajazi, Uher, Cerone, and Vogelsinger (remote)

**Members Absent:** Ald. Malay

**Also Present:** Mayor Schielke; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Scott Buening, Director of Community and Economic Development (remote); Drew Rackow, Planner (remote); Howard Chason, Director of Information Technology; Rahat Bari, City Engineer (remote); Jeff Albertson, Building Commissioner (remote); Shannon Jarmusz, Economic Development Manager (remote); Anthony Isom, Assistant to the City Administrator; and Jennifer Austin-Smith, Recording Secretary (remote)

**2. Reminder: Please speak into the microphone for BATV recording**

**3. Approve Minutes for January 11, 2022**

**Motion:** To approve the January 11, 2022 minutes

**Maker:** Chanzit

**Second:** Solfa

**Roll Call Vote:** **Aye:** Chanzit, Solfa, Baerren, Leman, Ajazi, Uher, Cerone, Vogelsinger, Wolff, Miller, Russotto, Beck, Connelly

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

**4. Items to be Removed/Added or Changed**

None.

**5. Matters from the Public (For Items NOT on Agenda)**

None.

## 6. Consent Agenda

(The consent agenda is made up of items recommended by city staff that require recommendation to the full City Council by the Cow. This agenda is placed as a separate item of the COW agenda. The items on the consent agenda are usually minor items, already budgeted, standard non-policy activities or outgrowths of earlier meetings and are voted on as a “package” in the interest of saving time on non-controversial issues. However, any council member may, by simple request, have an item removed and placed on the “regular” agenda.)

- a. **Approval: COW Executive Session Minutes November 30, 2022 and January 11, 2022**

**Motion:** To approve the consent agenda as presented

**Maker:** Chanzit

**Second:** Beck

**Roll Call Vote:** **Aye:** Chanzit, Solfa, Baerren, Leman, Ajazi, Uher, Cerone, Vogelsinger, Wolff, Miller, Russotto, Beck, Connelly

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

## 7. Presentation: Progress Update Water Treatment Plant

Emily Conte, Project Engineer, presented the PowerPoint presentation titled “Water Treatment Plants No. 1 & 2 Modifications Construction Update March 1, 2022” to the Committee of the Whole (COW). The presentation included the following information:

- Project Scope Review
- Proposed Site Plan aerial
- Construction Progress
- Backwash Storage Tank
- WTP #2 Expansion
- Well #11 Rehab
- High Service Pump Rehab
- Dualator #2 Rehab
- Next Steps
  - Next Month’s Forecast
  - Anticipated Construction Schedule

*Alderman Beck exited the meeting at 7:20pm.*

## 8. Approval: Class D-1 (Restaurant – All Liquor) Liquor License Application for Reverly 675, Located at 675 River Street, Batavia (2/23/22 DME) CS

Russotto discussed the memo with the COW.

**Motion:** To approve the Class D-1 (Restaurant – All Liquor) Liquor License Application for Reverly 675, Located at 675 River Street, Batavia

**Maker:** Russotto

**Second:** Connelly

**Roll Call Vote:**       **Aye:** Russotto, Connelly, Chanzit, Solfa, Baerren, Leman, Ajazi, Uher, Cerone, Vogelsinger, Wolff, Miller  
**Nay:**  
12-0 Vote, 2 Absent, Motion carried.

*Alderman Beck returned to the meeting at 7:22pm.*

**9. Ordinance 22-11: Amending The Official Zoning Map For A Planned Development Overlay District 470-490 North Randall Road, Misuka Burger LLC, Applicant (DMR 2/24/22) CD**

Rackow discussed the memo and ordinance with the Committee.

Uher asked that discussion on electronic message boards in the City of Batavia be discussed at a future meeting. Beck joined Alderman Uher with the request. Beck added that she would like to hear the opinion of the Police Department regarding electronic message boards close to the roadway. Buening announced a text amendment has been proposed for electronic message boards so the COW will have an opportunity to discuss this very shortly.

**Motion:**       To recommend approval of Ordinance 22-11: Amending The Official Zoning Map For A Planned Development Overlay District 470-490 North Randall Road, Misuka Burger LLC, Applicant  
**Maker:**       Wolff  
**Second:**       Solfa  
**Roll Call Vote:**   **Aye:** Wolff, Miller, Russotto, Beck, Connelly, Chanzit, Solfa, Baerren, Leman, Ajazi, Uher, Cerone, Vogelsinger  
**Nay:**  
13-0 Vote, 1 Absent, Motion carried.

**10. Ordinance 22-12: Conditional Use Permit For A Drive-Through Restaurant In A GC General Commercial District – 470 North Randall Road – Culver’s, Misuka Burger LLC, Applicant (DMR 2/24/22) CD**

**Motion:**       To recommend approval of Ordinance 22-12: Conditional Use Permit For A Drive-Through Restaurant In A GC General Commercial District – 470 North Randall Road – Culver’s, Misuka Burger LLC, Applicant  
**Maker:**       Wolff  
**Second:**       Solfa  
**Roll Call Vote:**   **Aye:** Wolff, Miller, Russotto, Beck, Connelly, Chanzit, Solfa, Baerren, Leman, Ajazi, Uher, Cerone, Vogelsinger  
**Nay:**  
13-0 Vote, 1 Absent, Motion carried.

**11. Ordinance 22:10: Amending Ordinance 17-16 Granting Variances For A Temporary Parking Lot At 111-117 North River Street (SCB 2/15/22) CD**

Buening reported this was granted a Conditional Use in 2017 that had a five-year term to it and that term has now lapsed. We do have in the ordinance the ability to extend that for an additional

five years for ten years. Staff's recommendation is to extend this for five years and once that is over we could decide to either make the parking lot comply with all our zoning ordinance requirements or hopefully the property would be under the state of redevelopment for additional development in our downtown.

**Motion:** To recommend approval of Ordinance 22:10: Amending Ordinance 17-16 Granting Variances For A Temporary Parking Lot At 111-117 North River Street  
**Maker:** Wolff  
**Second:** Russotto  
**Roll Call Vote:** **Aye:** Wolff, Miller, Russotto, Beck, Connelly, Chanzit, Solfa, Baerren, Leman, Ajazi, Uher, Cerone, Vogelsinger  
**Nay:**  
13-0 Vote, 1 Absent, Motion carried.  
CONSENT AGENDA

**12. Resolution 22-035-R –Authorization Of A Master Service Agreement With Tri-R Systems Incorporated (HC 2/23/22) GS**

Chanzit summarized the memo with the Committee. Chason addressed the COW. He stated that this resolution is to protect our data and discussed the SCADA system with the Committee.

**Motion:** To recommend approval of Resolution 22-035-R –Authorization Of A Master Service Agreement With Tri-R Systems Incorporated  
**Maker:** Chanzit  
**Second:** Uher  
**Roll Call Vote:** **Aye:** Chanzit, Solfa, Baerren, Leman, Ajazi, Uher, Cerone, Vogelsinger, Wolff, Miller, Russotto, Beck, Connelly  
**Nay:**  
13-0 Vote, 1 Absent, Motion carried.

*Ald. Vogelsinger exited the meeting at 7:40pm*

**13. Ordinance 22-13: Amending Title 8, Chapter 1, Articles A & B Of The Municipal Code Related To Renewable Generation Facilities (GH 2/23/22) PU**

Cerone discussed the ordinance with the Committee. Holm reported this ordinance modifies the language of the existing language within our code. He gave the Committee a redline document with all of the language. Holm reviewed the modifications.

**Motion:** To recommend approval of Ordinance 22-13: Amending Title 8, Chapter 1, Articles A & B Of The Municipal Code Related To Renewable Generation Facilities  
**Maker:** Cerone  
**Second:** Uher  
**Roll Call Vote:** **Aye:** Cerone, Wolff, Miller, Russotto, Beck, Connelly, Chanzit, Solfa, Baerren, Leman, Ajazi, Uher  
**Nay:** Beck  
11-1 Vote, 2 Absent, Motion carried.

*Ald. Vogelsinger returned to the meeting at 7:44pm.*

#### **14. Project Status**

Newman reported on the following:

- Construction on the Chipotle and Starbucks buildings has begun
- Signage has been installed on properties through Lagusti Mulder Brokerage
- The boardroom of fire and police commissioners will have their regular monthly meeting on March 8<sup>th</sup>. On the agenda will be the hiring of an officer from our certified lateral secondary eligibility register
- The State's Attorney's Office better guidance for law enforcement on matters of felony crimes
- V3 is in the process of studying the design for the Carriage Crest Storm Water Outfall Project
- Remodeling and pulling of new cable in City Hall this year
- Electric crews are in preparation to resume overhead reconstruction project in the Highlands area

#### **15. Other**

Solfa stated that residents are concerned with the condition of the parking lot by Rossatti's and the overflowing garbage. Buening stated that this is something that code enforcement has been working on.

Chanzit shared that he will be unable to make the next six weeks meetings due to recovery.

Mayor Schielke stated that they are going to upgrade the Batavia High School Football Field. Chair Wolff discussed the staged improvements with the Committee.

Mayor Schielke discussed possible example of gerrymandering at the State level. He discussed the County Board's process of redistricting based on the census. Solfa noted that the court districts have had their maps changed as well. Newman sent out what the County Clerk published on their website to the COW.

Newman reported the Park District suggested the City consider hiring Hitchcock Design Group to do a report on the pros and cons of impoundment verses no impoundment on the dam channel. No proposal on what that extra study would cost has been received.

#### **16. Executive Session: Setting the Price of Land for Sale (SCB)**

**Motion:** To enter into Executive Session for the purpose of Setting the Price of Land for sale

**Maker:** Uher

**Second:** Cerone

**Roll Call Vote:** **Aye:** Uher, Cerone, Vogelsinger, Miller, Russotto, Beck, Connelly, Chanzit, Solfa, Wolff, Baerren, Leman, Ajazi

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

The Committee of the Whole entered Executive Session at 8:06pm and exited at 8:13pm.

**17. Adjournment**

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 8:13pm; Made by Cerone; Seconded by Baerren. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary